

Aquatic Weed Control General Permit

Phil Isorena, P.E.

**State Water Resources Control Board
Item 6**

August 7, 2012



Reasons for Renewal

- Compliance with 6th Circuit Court of Appeals Decision
- Aquatic weed control one of the activities covered in USEPA's Pesticide General Permit
- Order No. 2004-0009-DWQ expired in 2009
- Water control districts need permit coverage

Renewal Process

- Shared several draft versions, including pre-final draft, with ACWA, for review and comment
- Shared pre-final draft with Regional Water Board staff for their review and comment
- Considered ACWA and Regional Water Board staff comments in the final draft

Weed Permit Changes

Item	2004 Permit	2012 Draft Permit
Active Ingredients	Does not list penoxsulam and sodium carbonate peroxyhydrate as active ingredients.	Includes penoxsulam and sodium carbonate peroxyhydrate as active ingredients.
Findings	Contains all Findings.	Reduces Findings to one and transfers the rest to the Fact Sheet.
RW Limitation	Does not have a dissolved oxygen (DO) limit.	Adds DO limit.
RW Monitoring Triggers	Does not have monitoring triggers for Imazapyr and Triclopyr Triethylamine (TEA).	Adds monitoring triggers for Imazapyr and Triclopyr TEA.
Compliance Determination	Not defined.	Clarifies compliance points.

Weed Permit Changes

Item	2004 Permit	2012 Draft Permit
Application Procedures	<ul style="list-style-type: none"> • Discharger submits application to Regional Water Boards for processing and approval; • Does not require posting of Aquatic Pesticides Application Plan (APAP); • Starts coverage immediately after mailing application package unless Regional Water Boards need additional information. 	<ul style="list-style-type: none"> • Discharger submits application to State Water Board for processing and approval; • Staff posts APAP for a 30-day public comment period; • DWQ Deputy Director issues Notice of Applicability (NOA); and • Starts coverage on NOA date.

Weed Permit Changes

Item	2004 Permit	2012 Draft Permit
Standard Provisions	Does not have these provisions (see next cell to the right).	<ul style="list-style-type: none"> • Clarifies the permit does not authorize (1) discharge to water bodies impaired by the active ingredient in the pesticide; (2) discharge to waters of outstanding national resource; and (3) take of endangered species. • All adjuvants used with the algaecides and aquatic herbicides must be labeled for aquatic use.

Weed Permit Changes

Item	2004 Permit	2012 Draft Permit
Special Provisions	None.	<ul style="list-style-type: none">• Adds corrective actions similar to what is in USEPA's Pesticide General Permit;• Adds reopener for numerical toxicity limit if such limits are added to the State Board Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California or SIP.

Weed Permit Changes

Item	2004 Permit	2012 Draft Permit
Monitoring and Reporting Program	Coalition option is merely suggested.	Coalition option is explicitly stated and encouraged.
	Does not state monitoring goals.	Clearly states the goals of monitoring.
	Indirectly states that hardness is needed if copper is analyzed.	Explicitly requires hardness information if copper is analyzed.
	Annual reporting only.	Requires 24-hour and 5-day reporting in addition to annual reporting.

Weed Permit Changes

Item	2004 Permit	2012 Draft Permit
Monitoring and Reporting Program	<p>Monitoring frequency: 10% of all application sites.</p>	<ul style="list-style-type: none"> • Min. 6 application events per active ingredient (AI) in each environmental setting (flowing water and non-flowing water) per year, except for glyphosate. • If < 6 application events/year, collect samples at each application event. • If results from 6 consecutive application events < RW limitation/trigger for an AI, reduce sampling to 1 application event per year.

Weed Permit Changes

Item	2004 Permit	2012 Draft Permit
Monitoring and Reporting Program	Monitoring frequency: 10% of all application sites.	<ul style="list-style-type: none">• Glyphosate: collect samples from one application event from each environmental setting (flowing water and non-flowing water) per year.

QUESTIONS?

Contact Information

Website:

http://www.waterboards.ca.gov/water_issues/programs/npdes/aquatic.shtml

Marleigh Wood Senior Staff Counsel Office of Chief Counsel State Water Board	Telephone: (916) 341-5169 Email: mwood@waterboards.ca.gov
Jenny Chen NPDES Wastewater Unit Division of Water Quality State Water Board	Telephone: (916) 341-5570 Email: hjchen@waterboards.ca.gov
Philip Isorena Chief, NPDES Wastewater Unit Division of Water Quality State Water Board	Telephone: (916) 341-5544 Email: pisorena@waterboards.ca.gov